

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

AJAY GAALLA, *et al.*, §
§
Plaintiffs, §
VS. § CIVIL ACTION NO. V-10-14
§
CITIZENS MEDICAL CENTER, *et al.*, §
§
Defendants. §

TEMPORARY RESTRAINING ORDER

On February 24, 2010, the Court held a hearing in the above-styled action regarding Plaintiffs' request for a temporary restraining order, as stated in Plaintiffs' Original Verified Complaint for Damages, Declaratory Judgment, and Injunctive Relief. (D.E. 1.) After reviewing the pleadings and evidence on file, and hearing the arguments of counsel, the Court finds:

1. Plaintiffs have a probable right to the relief they seek against Defendants related to their claims of substantive due process violations.
2. Plaintiffs will suffer irreparable harm in that they will lose the goodwill of their medical practice and patient loyalty at CMC and suffer irreparable injury to their reputation in the industry if CMC is not enjoined from implementing its Board Resolution contained in Defendants' letter of February 17, 2010 ("Board Resolution") (D.E. 1, Exh. A) and limiting Plaintiffs' exercise of their hospital privileges to provide cardiology care and treatment to their patients at CMC after February 24, 2010.
3. Plaintiffs have no adequate remedy at law and will suffer irreparable harm if Defendants implement the Board Resolution and limit Plaintiffs' exercise of

their hospital privileges to provide care and treatment to their patients at CMC after February 24, 2010.

Now therefore, it is hereby ORDERED, ADJUDGED AND DECREED that Plaintiffs' request for a Temporary Restraining Order is GRANTED, and that Defendants and their agents, servants, representatives and employees, and all those acting in aid of and in concert with them are immediately enjoined and prevented from implementing the Board Resolution and limiting Plaintiffs' exercise of their hospital privileges to provide medical care and treatment to patients at CMC.

The parties stipulate that no bond is necessary at this time for the issuance of this Order. This Order shall become effective immediately.

The Court will hold a hearing on March 10, 2010 at 1:15 pm to determine whether the temporary restraining order issued in this matter should be extended.

SIGNED and ORDERED this 25th day of February, 2010.



Janis Graham Jack
United States District Judge